

January 22, 2010

Attn.: Lawrence J. Dusak  
Division of Water  
200 Fair Oaks Lane  
Frankfort, Kentucky 40601

RE: Premier Elkhorn Coal Company  
Permit No. 898-0378 Am. #9 KPDES Permit Application  
30-Day N.O.D. (1/21/2010)

Dear Mr. Dusak:

As per deficiencies referenced on correspondence from your office dated January 21, 2010, please find attached the corrected N.O.I. application. Furthermore, please refer below for responses to your deficiencies.

- NOI-CM Form; Section III (*Specific Site Information*): The correct latitude/longitude is now given for Pond SS-22. The correct latitude is shown on the sediment structure inventory table. Additionally, the Effluent Characteristic sample site (Pond #31 on DNR #867-0371) now has the correct latitude/longitude shown for it on the 'Effluent Characteristic Data Sheet'. Please note that proposed sediment structure SS-22 is the same structure as the Effluent Characteristic sample site (Pond #31 on DNR #867-0371).
- NOI-CM Form; Section VI (*Effluent Characteristics*): The Effluent Characteristic sample site, Pond #31 on DNR #867-0371 (same as proposed pond SS-22), was selected as a representative sample for all proposed sediment structures (SS-22 and SS-24). Pond #31 is an existing structure and will capture drainage from the proposed surface disturbance areas. The amended areas will include construction of underground portals, and support areas, within the Amburgy coal bed. Strata will be disturbed from the Amburgy coal bed elevation and will consist of a highwall cut of approximately 60 feet in elevation above the Amburgy coal bed. All proposed sediment structures will potentially discharge to Bottom Fork.
- NOI-CM Form; Section VI (*Effluent Characteristics*): The correct latitude/longitude is now given for outfall "031".
- The 'demonstration of similarity' is given within the discussion above.

If additional information is required or if any questions arise to the enclosed information please contact me at our Pikeville office (606) 437-6223.

Sincerely,

*Steve Kendrick*  
Steve Kendrick  
Project Manager



STEVEN L. BESHEAR  
GOVERNOR

**ENERGY AND ENVIRONMENT CABINET**  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WATER  
200 FAIR OAKS LANE  
FRANKFORT, KENTUCKY 40601  
[www.kentucky.gov](http://www.kentucky.gov)

LEONARD K. PETERS  
SECRETARY

January 21, 2010

Mr. Robert J. Zik  
Premier Elkhorn Coal Company  
P.O. Box 130  
Myra, KY 41549

Re: **Bottom Fork; Letcher County**  
DNR#: **898-0378; Amend 9**  
KPDES#: **KYG044350**  
AI#: **101574**

Dear Mr. Zik:

The Division of Water (DOW) has received and reviewed your Notice of Intent (NOI-CM) application to obtain coverage under the Kentucky Pollutant Discharge Elimination System's (KPDES) "General Permit for Coal Mining" for the above referenced mine. The NOI was found to be deficient, but the Socioeconomic Demonstration and Alternatives Analysis (SDAA) information was acceptable. The following items require immediate attention before DOW will proceed with approval of this application:

- Applicant shall complete the 2009 NOI-CM form; *Section III - Specific Site Information*, according to the instructions. Two new ponds were proposed for this amendment; #SS-22 and SS-24. The longitude and latitude coordinates for Pond SS-22 located this pond on a hillside 0.8 miles to the west of Bottom Fork watershed; well outside of the proposed amended acreage. The same coordinates were provided for the Effluent Characteristics sample site. Please provide the correct locations of these ponds.
- Applicant shall complete the 2009 NOI-CM form; *Section VI - Effluent Characteristics*, according to the instructions. This section requires that outflows from each proposed sediment structure be analyzed, or one outfall must be demonstrated as representative of all of the proposed ponds. No demonstrations of similarity were provided with your NOI. Please note that demonstrations of "similarity" shall discuss; the proximity of the proposed ponds to the representative sample, the receiving streams, and the coal seams and the overburden being mined above each. If an adjacent mine can be demonstrated as substantially similar to the proposed mine, DOW **may** allow the applicant to analyze another operation's outflow.
- Applicant shall complete the 2009 NOI-CM form; *Section VI - Effluent Characteristics*, according to the instructions. Laboratory analyses submitted from July 2009 were from an outflow identified as "031". The map coordinates for outflow "031" plot on a hillside 0.8 miles to the west in Yonts Fork. No ponds are shown in Yonts Fork on the MRP/ERI maps and no ponds are identified anywhere as "031". Please correct this information.

- If the applicant intends to use the analyses from "031" to satisfy the *Effluent Characteristic* requirements, then a "demonstration of similarity" (described above) must be submitted. If the applicant requires more time to secure a sample from a flowing pond, a waiver may be requested by the company officer for a maximum time extension of 2 years. The company cannot receive final bond release until this sampling is satisfied, but the application can proceed to public review and approval with the waiver in place.

Please note that failure to address these issues within a 30-day timeframe could result in termination of your General Permit application. Once the review has been terminated, restart will require the submission of an entire new application and the associated fees.

For your convenience the required 2009 forms can be obtained at [http://www.water.ky.gov/homepage\\_repository/kpdes\\_permit\\_aps.htm](http://www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm)

If you have any questions regarding the Division's decision, please contact me at (502) 564-3410, extension 4895 or by e-mail at [larry.dusak@ky.gov](mailto:larry.dusak@ky.gov)

Sincerely,



**Lawrence J. Dusak**  
Operational Permits Section  
Surface Water Permits Branch  
Division of Water

LJS:ljd

c: Steve Kendrick - Alpine Consulting & Engineering  
Site Contact - Stacy Billiter

December 2, 2009

Attn.: Heather Dodds  
Energy and Environment Cabinet  
Department for Environmental Protection  
Division of Water  
200 Fair Oaks Lane  
Frankfort, Kentucky 40601

RE: Premier Elkhorn Coal Company  
Permit No. 898-0378 Am. #9 KPDES Permit Application

Dear Ms. Dodds:

Please find attached the required information for the above referenced Notice of Intent (NOI), as the above applicant is requesting an expansion of KPDES General Permit KYG044350 for Coal Mining Activities. The proposed operation is located on the Jenkins West 7.5' Quadrangle near the communities of McRoberts and Fleming-Neon in Letcher County. The applicant is proposing to expand an existing surface mining operation that will affect an additional watershed.

The watersheds for which this application is expanding to currently contains disturbances associated with an adjacent surface mining permit, Premier Elkhorn Coal Company permit 867-0371. Of the two (2) sediment structures purposed, one (1) of them is currently existing and currently being monitored under the KPDES permit issued to DNR permit 867-0371.

Furthermore, as noted on the 'NOI-CM' application, the nearest in-stream public water intake is located approximately 15.6 miles downstream at Whitesburg in Letcher County. However, there are two (2) drilled wells within old works of the Elkhorn #3 coal bed, as shown on the attached map, that are utilized as public water supplies. This application is proposing deep mining activities within the Amburgy coal bed, approximately 100-150 feet in elevation above the Elkhorn #3 works.

Refer to the attached maps for locations of the proposed disturbance areas.

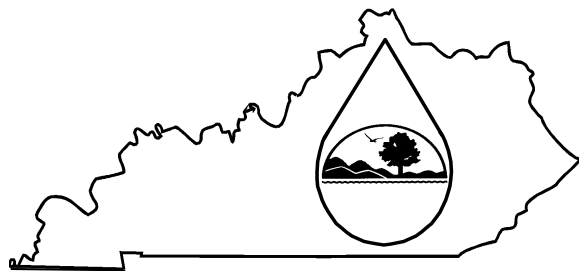
If additional information is required or if any questions arise to the enclosed information please contact me at our Pikeville office (606) 437-6223.

NOTE: This NOI was previously submitted but was withdrawn because it was within 5 miles upstream of a public water intake, since the previous submittal the areas that were within 5 miles of the public water intake have been deleted and we are no longer requesting them to be added to the general permit. Please accept this resubmittal as modifications to the existing general permit.

Sincerely,

*Mark C. Spears*  
Mark C. Spears  
Project Manager

# FORM NOI-CM



## KENTUCKY POLLUTION DISCHARGE ELIMINATION SYSTEM (KPDES)

### Permit Application for General Permit Coverage For Coal Mining Operations

This is an application for:

- ☐ New mining operation coverage.  
☐ Modification of coverage for additional area in same watershed.  
☒ Modification of coverage for additional area in different watershed.  
☐ Previously covered by an individual permit.

In order to qualify for coverage under the *Coal General Permit*, the coal mining operation must have obtained or is obtaining a Surface Mining Control and Reclamation Act (SMCRA) permit.

**For additional information contact:**  
**Surface Water Permits Branch (502) 564-3410**

If Modification is checked, state reason for Modification: Addition of sediment control structures. All are currently approved under Premier Elkhorn Coal Company permit #898-0378 (KYG044350)

For Agency Use	Permit No. (Leave Blank)	K	Y	G	O	4				
For Agency Use	AI ID (Leave Blank)									

#### SECTION I – PERMITTEE INFORMATION

Applicant Name:	Premier Elkhorn Coal Company
Mailing Address:	P.O. Box 130 City, State, Zip Code Myra, Kentucky 41549
Contact Name:	Stacy Billiter Title: Company Engineer
Contact Name:	Stacy Billiter Telephone Number: 606-639-0933 E-mail Address: sgbilliter@tecoenergy.com

#### SECTION II – GENERAL SITE INFORMATION

**Attach an Adobe Acrobat PDF file of the full color USGS 7½-minute quadrangle map with the facility site clearly marked.**

**Attach Adobe Acrobat PDF files of the Mining and Reclamation Plan map and the Environmental Resources Information map.**

**For Amendments or Modifications attach a Adobe Acrobat PDF file showing only the amended or modified areas.**

SMCRA Permit Number: 898-0378 Am. #9		Type of Operation: Surface/Underground Mines	
County where facility is located: Letcher		Nearest community: McRoberts	
Nearest public road intersection: Bottom Fork Road and KY Rt 343		Nearest named stream: Bottom Fork	
Latitude (decimal degrees): 37.238889	Longitude (decimal degrees): 82.681111		Method used (see instructions): Topo
Surface acreage: Current: 1421.28 Amended: 1517.68		Underground acreage: Current: 4400.4 Amended: 4394.3	

#### SECTION III – SPECIFIC SITE INFORMATION

Number of sediment structures proposed:	2	(complete sediment structure inventory table on page 3)		
Number of fills proposed:	2	(complete fill inventory table on page 4)		
Number of stream crossings proposed:	0	(complete stream crossings inventory table on page 4)		
Nearest downstream public water supply:	WHITESBURG WATER WORKS	Distance in stream miles	15.6	

#### SECTION IV – COE CWA SECTION 404 PERMIT INFORMATION

Has a Clean Water Act Section 404 permit been obtained from the Army Corps of Engineers for any or all sediment structures, fills or stream crossings?  
Pending

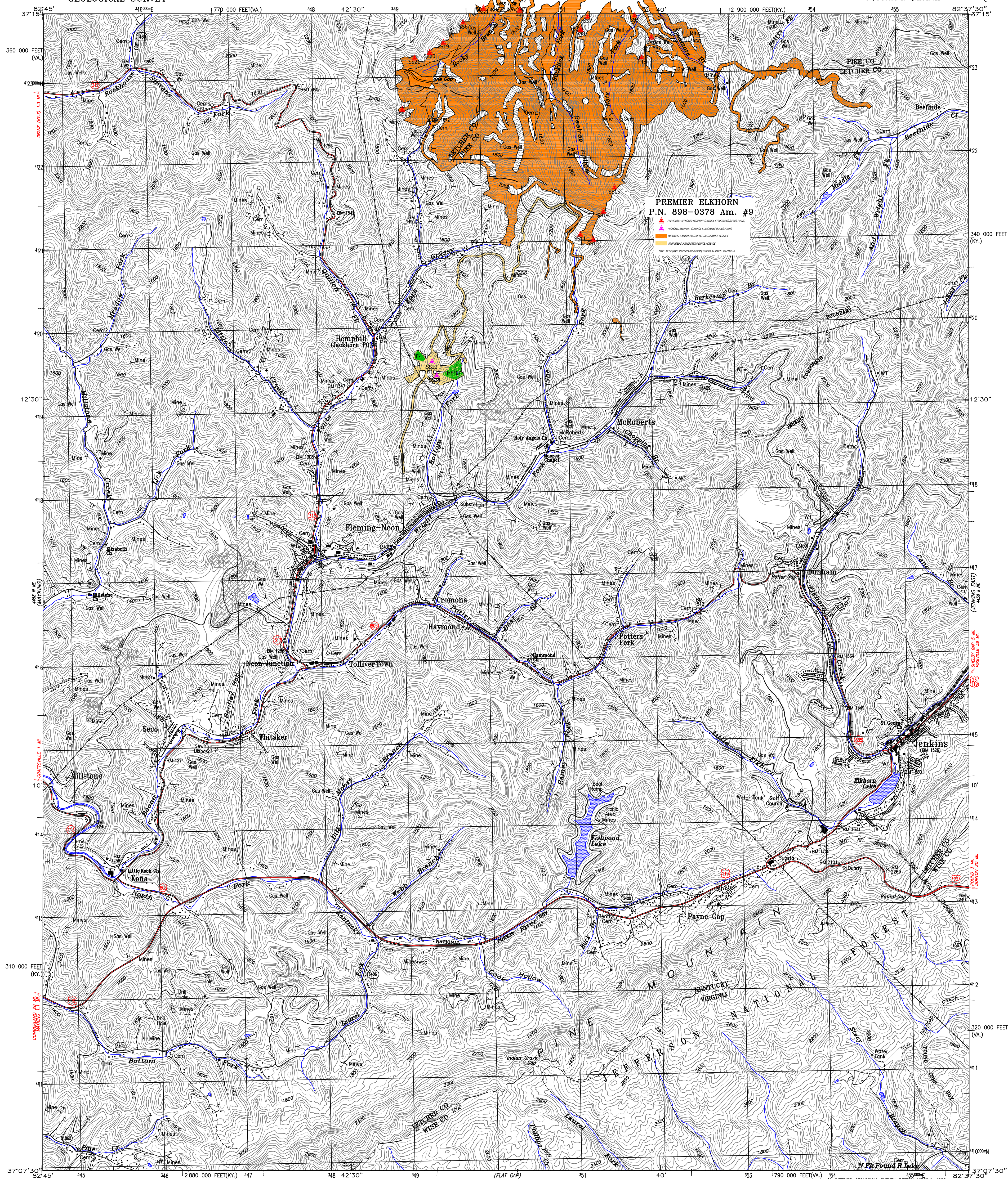
Permit Number:	2005591teh	Permit Issuance Date:	Pending
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Activities covered by permit: Fill material placed within jurisdictional channels.

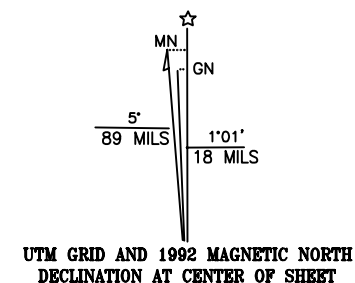


UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

JENKINS WEST QUADRANGLE  
KENTUCKY-VIRGINIA  
7.5 MINUTE SERIES (TOPOGRAPHIC)  
NW/4 POUND 15' QUADRANGLE

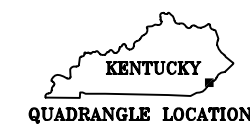


Produced by the United States Geological Survey  
and Kentucky Geological Survey  
Control by USGS and NOS/NOAA  
Topography by photogrammetric methods from aerial photographs  
taken 1947. Field checked 1954. Revised from aerial photographs  
taken 1986. Field checked 1989. Map edited 1992  
Projection: Kentucky coordinate system, south zone  
(Lambert conformal conic)  
10,000-foot grid ticks: Kentucky coordinate system, south zone  
and Virginia coordinate system, south zone  
1000-meter Universal Transverse Mercator grid, zone 17  
1927 North American Datum  
The difference between 1927 North American Datum and North  
American Datum of 1983 (NAD 83) for 7.5-minute intersections  
is given in USGS Bulletin 1875. The NAD 83 is shown by  
dashed corner ticks  
There may be private inholdings within the boundaries of  
the National or State reservations shown on this map



SCALE 1:24 000  
KILOMETERS 0 1000 2000  
METERS 0 1000 2000  
MILES 0 10 20  
FEET 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000  
CONTOUR INTERVAL 40 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092  
VIRGINIA DIVISION OF MINERAL RESOURCES, CHARLOTTESVILLE, VIRGINIA 22903  
KENTUCKY GEOLOGICAL SURVEY, LEXINGTON, KENTUCKY 40506  
AND KENTUCKY DEPARTMENT OF COMMERCE, FRANKFORT, KENTUCKY 40601  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION  
Primary highway, hard surface..... Light-duty road, hard or improved surface.....  
Secondary highway, hard surface..... Unimproved road.....  
Interstate Route U.S. Route State Route

JENKINS WEST, KY-VA.  
NW/4 POUND 15' QUADRANGLE  
37082-B6-TY-024  
1992

DMA 4458 II NW-SERIES V853

JENKINS WEST, KY-VA.  
PIKEVILLE PROJ-TPE

This map was vectorized from USGS Jenkins West Quadrangle, West Virginia-Virginia, 7.5 Minute Series, by Eastham & Associates, 100 Cedar Street, Chesapeake, Ohio, 45619, (614) 867-8369.  
(c) Copyright, Eastham & Associates. All rights reserved. (See License Agreement).



# FORM NOI-CM

SECTION V – OTHER ENVIRONMENTAL APPROVALS AND PERMIT INFORMATION			
CATEGORY	EXISTING PERMIT WITH NUMBER	PERMIT NEEDED WITH PLANNED APPLICATION DATE	
401 Water Quality Certification	N/A		
Drinking Water	N/A		
Wastewater Construction	N/A		
Water Withdrawal	N/A		
Air Emissions	N/A		
Solid or Special Wastes	N/A		
Hazardous Waste Registration /Permit	N/A		

SECTION VI – EFFLUENT CHARACTERISTICS	
<p>Samples and analysis for the pollutants or pollutant characteristics listed on the Effluent Characteristics Data Sheet (page 5) shall be performed for each, sediment control structure, either existing or proposed, within each watershed. All samples and analysis are to be taken and performed in accordance with the requirements of 40 CFR Part 136. Complete an Effluent Characteristics Data Sheet for each sample collected and analyzed.</p>	

SECTION VII – BEST MANAGEMENT PRACTICES (BMP) PLAN	
<p>Check one the following boxes.</p> <p><input checked="" type="checkbox"/> The generic Coal BMP Plan shall be completed and implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit.</p> <p><input type="checkbox"/> A site specific BMP shall be developed, and implemented for this activity within 90 days of the granting of coverage under the KPDES Coal General Permit. (A copy of the BMP shall be submitted to the DOW for review and comment prior to implementation.)</p> <p><input type="checkbox"/> The Oil &amp; Grease requirements of the KPDES Coal General Permit shall be followed.</p>	

SECTION VIII – CERTIFICATION	
<p>I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</p>	
<p>NAME AND OFFICIAL TITLE (Type or Print)</p>	<p>Robert J. Zik, Vice-President</p>
<p>Telephone Number: (Area Code and Number)</p>	<p>( 606 ) 523-4444</p>
<p>SIGNATURE:</p>	<p>DATE: 12/3/09</p>

SECTION IX – NOI PREPARER INFORMATION	
Preparer Name:	Mark C. Spears
Company Name	Alpine Consulting & Engineering, Inc.
Mailing Address:	P.O. Box 3203
City, State, Zip Code:	Pikeville, KY 41502
Phone Number:	Work # ( 606 ) 437- 6223 e-mail Address: mspears@alpine-eng.com

This completed application form and attachments should be sent to: Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Questions should be directed to: Surface Water Permits Branch, Operational Permits Section at (502) 564-3410.

## Sediment Structure Inventory

**Note: Proposed Pond #22 is existing and currently covered by KYG044781 (DNR permit #867-0371, Pond #31).**

**LIST ONLY NEW OR PREVIOUSLY UNPERMITTED STRUCTURES**

(Attach additional pages if necessary)



# FORM NOI-CM

## Fill Inventory

ID Number	Permanent/Temporary	Fill Size (acres)	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)
HF-15	Permanent	2.1	17.0	37-12-41	82-41-41	Bottom Fork
HF-17	Permanent	2.5	51.6	37-12-35	82-41-33	Bottom Fork

### Instructions

ID Number: Provide the structure's identification number.  
Permanent/Temporary: Indicate whether the fill is permanent or temporary  
Size: Provide the size of the fill in acres.  
Watershed: Provide the watershed size in acres above the lowest point of the permanent fill.  
Latitude: Provide the latitude of the fill.  
Longitude: Provide the longitude of the fill.  
Impacted Stream: Name of the water body in which the fill is being placed

(Attach additional pages if necessary)

## Stream Crossings Inventory – N/A

ID Number	Permanent/Temporary	Stream Crossing Type	Watershed Size (acres)	Latitude (dd-mm-ss)	Longitude (dd-mm-ss)	Impacted Stream (name)

### Instructions

ID Number: Provide the stream crossing's identification number.  
Permanent/Temporary: Indicate whether the stream crossing is permanent or temporary  
Type: Provide the type of crossing, i.e. bridge, culvert, low water, etc.  
Watershed: Provide the watershed size in acres above the stream crossing.  
Latitude: Provide the latitude of the stream crossing.  
Longitude: Provide the longitude of the stream crossing.  
Impacted Stream: Name of the water body in which the stream crossing is being placed

(Attach additional pages if necessary)



# FORM NOI-CM

## Effluent Characteristics Data Sheet

Outfall No. KYG044781-031	Latitude: 37.210278	Longitude: 82.694444	Receiving Water: Bottom Fork		
Pollutant or Pollutant Characteristic	Value	Units	Sample Type	Analytical Method Used	Method Detection Level
Total Suspended Solids	2	mg/l	grab	SM 2540D	1
Flow	0.0216	mgd	grab	Volumetric	N/L
pH	8.33	std		SM 4500 H+-B	0.03
Hardness (as mg/l CaCO <sub>3</sub> )	708.15	mg/l	grab	SM 2340B	0.02
Sulfate (as SO <sub>4</sub> )	748	mg/l	grab	SM 426 C	1
Total Recoverable Aluminum	39.6	ug/L	grab	EPA 200.8	0.435
Total Recoverable Iron	0.071	mg/l	grab	EPA 200.7	0.004
Total Recoverable Manganese	15.9	ug/L	grab	EPA 200.8	0.017
Total Recoverable Antimony	0.079	ug/L	grab	EPA 200.8	0.009
Total Recoverable Arsenic	0.379	ug/L	grab	EPA 200.8	0.052
Total Recoverable Beryllium	0.039	ug/L	grab	EPA 200.8	0.19
Total Recoverable Cadmium	0.023	ug/L	grab	EPA 200.8	0.007
Total Recoverable Chromium	6.02	ug/L	grab	EPA 200.8	0.167
Total Recoverable Copper	1.66	ug/L	grab	EPA 200.8	0.026
Total Recoverable Lead	0.055	ug/L	grab	EPA 200.8	0.016
Total Recoverable Mercury	<0.5	ng/L	grab	EPA-1631E	0.5
Total Recoverable Nickel	2.46	ug/L	grab	EPA 200.8	0.039
Total Recoverable Selenium	0.062	ug/L	grab	EPA 200.8	0.032
Total Recoverable Silver	ND	ug/L	grab	EPA 200.8	0.009
Total Recoverable Thallium	ND	ug/L	grab	EPA 200.8	0.011
Total Recoverable Zinc	2.69	ug/L	grab	EPA 200.8	0.581
Free Cyanide	<0.004	mg/l	grab	SM 4500CN-E	0.004
Total Phenols	<0.004	mg/l	grab	EPA 420.1	0.004
Conductivity	1300	umhos/cm		SM 2510 B	

### Instructions

Outfall Number: Provide the outfall number. (use following naming convention -KYG04XXXX-XXX)  
 Latitude: Provide the latitude of the discharge point or sample point.  
 Longitude: Provide the longitude of the discharge point or sample point.  
 Receiving Water: Provide the name of the receiving water that will receive the discharge.  
 Where sample was collected: Check either sediment structure or in-stream  
 Value: Report the numerical results of the analysis for the pollutant or pollutant characteristic  
 Units: Indicate the units, i.e. mg/l, MGD, standard units, °F, etc.  
 Sample Type: Indicate how the sample was collected, i.e. grab, composite, weir, instantaneous, etc.  
 Analytical Method: Indicate the EPA test method used for analysis of the pollutant or pollutant characteristic  
 Method Detection Level: Indicate the MDL for the EPA test method used.

(Attach additional pages if necessary)

**NOTE: KYG044781-031 (Pond #31 on DNR #867-0371) is the same structure as proposed pond SS-22.**





APPALACHIAN STATES ANALYTICAL, L.L.C.

PO Box 520  
Shelbiana, KY 41562

Premier Elkhorn Coal Corp.  
PO Box 130  
Myra, KY 41549

Date Received 6/30/09  
Date Reported 7/21/09  
Order Number 2009-06070

ATTN: Sid Stanley

TEST DESCRIPTION	RESULT	UNITS	METHOD	MDL	DATE	TECH
Fraction	2009-06070001					
Sample I.D	31 (867-0371)					
Date Sampled	6/30/2009					
Ky Coal Permit Quality Pkg						
Total Suspended Solids	2	mg/l	SM 2540D	1	7/01/2009	JKB
Flow	0.0216	mgd			6/30/2009	LJ
pH, Field	8.33	std	SM 4500 H+ -B	0.03	6/30/2009	LJ
Hardness	708.15	mg/l	SM 2340B	0.02	7/01/2009	SM
Sulfate	748	mg/l	SM 426 C	1	7/01/2009	TT
Specific Conductance	1300	umhos/cm	SM 2510 B	1	7/07/2009	TV
Free Cyanide	<0.004	mg/l	SM 4500CN-E	0.004	7/10/2009	SC
Phenols, Ky KPDES P Renewal	<0.004	mg/l	EPA 420.1, Hach	0.004	7/16/2009	SC



# AC & S, Incorporated

Serving the chemical industry since 1986

Specialty Chemical - Laboratory Services - Rail Tank Cleaning

## Report of Analysis

**Name:** Appalachian States Analytical  
Ama Bentley  
P.O. Box 520  
Shelbiana, KY 41562

**Sample ID#:** 09972364  
**Sample Source:** Grab  
Elkhorn 31 898-0371  
**Client Sample** Premier Elkhorn

**Sample Date:** 6/30/2009 15:15

**Receipt Date:** 7/2/2009 19:30

**Report Date:** 7/20/2009

Parameter	Sample Result	Units	MDL	Analysis Start	Analysis End (If Applicable)	Method	Analyst
<b>Metals</b>							
Total Recoverable Aluminum	39.6	ug/L	0.435	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Antimony	0.079	ug/L	0.009	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Arsenic	0.379	ug/L	0.052	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Beryllium	0.039	ug/L	0.019	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Cadmium	0.023	ug/L	0.007	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Chromium	6.02	ug/L	0.167	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Copper	1.66	ug/L	0.026	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Iron	0.071	mg/L	0.004	07/09/09 15:10		EPA 200.7	ESW
Total Recoverable Lead	0.055	ug/L	0.016	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Manganese	15.9	ug/L	0.017	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Nickel	2.46	ug/L	0.039	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Selenium	0.062	ug/L	0.032	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Silver	ND	ug/L	0.009	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Thallium	ND	ug/L	0.011	07/10/09 14:37		EPA 200.8	ESW
Total Recoverable Zinc	2.69	ug/L	0.581	07/10/09 14:37		EPA 200.8	ESW

Reviewed by:

Rebecca Kiser

**AC&S, Inc.**  
**P.O. Box 335**  
**Nitro, WV 25143**

ND = Not Detected  
\* = Above Specified Limit

**Note:** The test results are only valid for date sample was taken. We do not accept any liability for use of these results.



**Report of  
Laboratory  
Analysis**

**Reported To:**

Ama Bowman  
APPALACHIAN STATES ANAL.

P.O. BOX 520  
SHELBIANA, KY 41562

**Order No.:** 2009070077

**P.O. No.:** 310609

**Date Received:** 07/01/2009

**Report Date:** 07/16/2009

**Testing Analysis**

**Sample No.:** 1 **Comments:** 2009-06070-001 **Location:** EFF 31 867-0371  
**Date Collected:** 06/30/2009 **PREMIER ELKHORN**  
**Collected by:** RB  
**Lab ID.:** W07-010 **Matrix:** Pond Water

Laboratory Test	Results	Test Units	Test Analyst	Detection Limit	Test Method	Date of Analysis
MERCURY -Low Level	<0.5	ng/L	JH	0.5	EPA-1631E	07/15/2009

**Sample No.:** 2 **Comments:** 2009-06070-001 **Location:** EFF 31 867 0371  
**Date Collected:** 06/30/2009 **PREMIER ELKHORN**  
**Collected by:** RB  
**Lab ID.:** W07-011 **Matrix:** Pond Water

Laboratory Test	Results	Test Units	Test Analyst	Detection Limit	Test Method	Date of Analysis
MERCURY -Low Level	<0.5	ng/L	JH	0.5	EPA-1631E	07/15/2009

**Sample No.:** 3 **Comments:** 2009-06070-001 **Location:** FIELD BLANK 31  
**Date Collected:** 06/30/2009 **PREMIER ELKHORN** 867-0371  
**Collected by:** RB  
**Lab ID.:** W07-012 **Matrix:** Pond Water

Laboratory Test	Results	Test Units	Test Analyst	Detection Limit	Test Method	Date of Analysis
MERCURY -Low Level	<0.5	ng/L	JH	0.5	EPA-1631E	07/15/2009